

**COMMITTEE ON PUBLIC WORKS AND PURCHASING**  
(Standing Committee of Berkeley County Council)

Chairman: Mr. Caldwell Pinckney, Jr., Council District No. 7

A **meeting** of the **COMMITTEE ON PUBLIC WORKS AND PURCHASING**, Standing Committee of Berkeley County Council, was held on **Monday, June 11, 2012**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 6:15 p.m.

**PRESENT:** Mr. Caldwell Pinckney, Jr., Chairman, Council District No. 7; Committee Members: Mr. Phillip Farley, Council District No. 1, Mr. Dennis L. Fish, Council District No. 5; ex-officios: Mr. Daniel W. Davis, Berkeley County Supervisor; Mr. Timothy Callanan, Council District No. 2; Mr. Steve C. Davis, Council District No. 8. Ms. Nicole Ewing, County Attorney, and Mrs. Catherine R. Windham, Interim Clerk to County Council. Mr. Robert O. Call, Jr., Council District No. 3; Mr. Jack H. Schurlknight, Council District No. 6, and Mrs. Cathy S. Davis, Council District No. 4 were excused.

*In accordance with the Freedom of Information Act, the electronic and print media were duly notified.*

**CALL TO ORDER**

Chairman Pinckney: "Good evening, ladies and gentlemen. We are happy to see you out here tonight under these adverse conditions. But, we're grateful that you did put forth the effort to be here and at this time I'd like to call the Committee on Public Works and Purchasing to order. Prior to that I'm going to ask Mr. Colin Martin to lead us in prayer and I'm going to ask Mr. Fish if he would do the Pledge of Allegiance for us please?"

Mr. Colin Martin gave the Invocation and Councilman Fish led in The Pledge of Allegiance to the Flag of the United States of America.

Chairman Pinckney: "Thank you, Mr. Martin and Mr. Fish. At this time once again, I'd like to call the Committee on Public Works and Purchasing to order. Mrs. Clerk, has this meeting been properly noticed via the Freedom of Information Act?"

Mrs. Windham: "Yes sir, it has."

Chairman Pinckney: "Thank you, ma'am. First on the agenda is..."

**APPROVAL OF MINUTES**

**May 14, 2012**

Committee Member Fish: "Move for approval."

Committee Member Farley: "Second."

Chairman Pinckney: "I've got a motion and a second. Are there any corrections to these minutes? (No Response) All in favor, please say Aye? (Ayes) Opposes Nay? (No Response) Minutes stand approved as presented."

It was moved by Committee Member Fish and seconded by Committee Member Farley to approve the minutes as presented from the May 14, 2012 Public Works and Purchasing Meeting. The motion passed by unanimous voice vote of the Committee.

Chairman Pinckney: "Next is..."

**A. Mr. Doug Tompkins, BCWS Deputy Director of Operations, Re: Selection of Vendor for Meter Boxes**

Mr. Tompkins: "Mr. Chairman, Committee, this is a time we do our annual bid for the meter boxes for Water and Sanitation. Low responsive, responsible bidder for the meter boxes for this year was Southern Utility. So, I'd like the Committee to recommend giving the bid to Southern Utility Supply."

Chairman Pinckney: "What's the pleasure of the Committee? You've got a question Mr. Farley?"

Committee Member Farley: "Move for approval."

Committee Member Fish: "Second."

Chairman Pinckney: "I've got a motion and a second. Are there any discussions?"

Committee Member Fish: "Mr. Chairman?"

Chairman Pinckney: "Yes sir, Mr. Fish?"

Committee Member Fish: "It's interesting that the first time that I've seen a bid come this close and I'm assuming you picked it because of the low bid or is there other qualification besides the dollar amount?"

Mr. Tompkins: "It was the low responsive bid. On the request for bids, it specifically stated that the unit price would govern and should include all taxes. The two lowest bids did not include taxes. One...neither included tax, in the unit-price. One of them didn't include tax at all so they were not responsive bids. So, the lowest responsive bid would be Southern."

Committee Member Fish: "Isn't the Gibson Supply was like .01 cent difference?"

Mr. Tompkins: "Yeah, it was by that one cent yes sir."

Committee Member Farley: "The HD Supply Water Works and the MSC Water Work Company, both of those gave a low bid and we're disqualifying them because?"

Mr. Tompkins: "There was no tax included in their unit price. We contacted both of them and asked them if they would go ahead and honor that price to include tax and they both declined."

Committee Member Farley: "Well, I can understand why. Because I don't think there would be \$30 tax on \$143.00."

Mr. Tompkins: "There was like \$7 dollars and something...AC Supply would have been \$147 I think, with tax, but still, they didn't include it in their bid. So, it would be considered non-responsive."

Mr. Colin Martin: "Mr. Chairman?"

Chairman Pinckney: "Yes sir, Mr. Colin?"

Mr. Martin: "Good Question, Mr. Farley and I think it deserves explanation. This was brought to me to make the call. Because of the way it was set up, we could have thrown them all out because we always reserve the right to not honor any of them. But, to do that would then be opening the door for: If I just make a little mistake on my bid then I'll get another chance."

Committee Member Farley: "I understand."

Mr. Martin: "And it would be rewarding sloppy work even though it's going to cost us more money probably in the long run. If we had reopened it, I think a protest might have been coming forth. So, I wanted to kind of protect our future reputation that Berkeley County doesn't accept "A", sloppy work and "B", we don't give people second chances when they don't follow the rules."

Ms. Windham: "Mr. Farley, could Council please speak into the microphones. We can't hear because of the rain."

Committee Member Farley: "I'm sorry. Ok, alright. That was my question though. You know, you're looking at \$30-\$40 a piece there and I know that the tax wouldn't be that much, it's 20%."

(Inaudible)

Committee Member Farley: "What 8% tax, (inaudible) it's something that, maybe next time that these guys tax it in and that'll save us \$35 (inaudible)."

Mr. Martin: "Also, my sense is if we can't trust them to do detailed work now. What kind of service are gonna get later?"

Committee Member Fish: "Who was the vendor last year?"

Mr. Tompkins: "Same one's Southern."

Committee Member Farley: "Ok. How much of this over from last year?"

Mr. Tompkins: "I think, off the top of my head, I think they were in the range of \$130-\$140. In that range, yes sir."

Committee Member Farley: "That's what I was thinking. It was under \$150 a piece."

Mr. Tompkins: "Yes sir, absolutely."

Committee Member Farley: "Very good. Thank you."

Chairman Pinckney: "All in favor? (Ayes) Opposes Nay? (No Response) Motion carries."

It was moved by Committee Member Farley and seconded by Committee Member Fish to **approve the purchase of Yolk Boxes** (meter boxes) from **Southern Utility** for the period of July 1, 2012 to June 30, 2013 in the amount of **\$173.86 each**. The motion passed by unanimous voice vote of the Committee.

Chairman Pinckney: "Next on the agenda is..."

**B. Mr. Frank Carson, PE, County Engineer, Re:**

**1. Construction Contract Award for Arthur Gillins Road Improvements**

Mr. Carson: "Mr. Chairman, on May 16<sup>th</sup> we received bids for two projects. One was for Arthur Gillins Road in Moncks Corner and the other was Blanding Road and Wilder Road in Forty-One Section, between Bonneau and St. Stephen. We received nine bids on Arthur Gillins Road and the low bidder is W.E. Davis Construction and eight bids were received on Blanding and Wilder and the low bidder is Plowden Construction Company. We recommend award of the contract for Arthur Gillins to W.E. Davis Construction in the amount of \$192,045.40 and recommend award of contract for Blanding and Wilder Road to Plowden Construction Company in the amount of \$412,669.50."

Chairman Pinckney: "Do we need to do these on a separate motion? Ok, on the contract for Arthur Gillins. What's the pleasure of the Committee?"

Committee Member Farley: "Move for approval with discussion."

Committee Member Fish: "Second."

Chairman Pinckney: "I've got a motion and a second. Any discussion, questions?"

Committee Member Farley: "Yes sir, what's the length of that road? It's not very long is it Frank?"

Mr. Carson: "No sir, it's a very short road."

Committee Member Farley: "Only like a block, block and a half?"

Mr. Carson: "It's a bit longer than that. It has one other complicating issues with Arthur Gillians is, there's a large culvert that has to be replaced and it's filled through a wetland or wet area. So, that increases the cost."

Committee Member Farley: "Ok."

Mr. Carson: "And there's a good deal more pipe on it, per length because we're going to use asphalt valley gutter rather than open ditch section to keep the right of way requirement down."

Committee Member Farley: "Thank you."

Chairman Pinckney: "Pleasure of the...All in favor? (Ayes) Opposes Nay? (No Response) Motion carries."

It was moved by Committee Member Farley and seconded by Committee Member Fish to **award** the construction contract for the **Arthur Gillins Road Improvement to W. E. Davis Construction Company** in the amount of **\$192,045.40**. The motion passed by unanimous voice vote of the Committee.

Chairman Pinckney: "Next is..."

## **2. Construction Contract Award for Blanding Road and Wilder Road Improvements**

Chairman Pinckney: "What's the pleasure of the Committee?"

Committee Member Fish: "Move for approval."

Committee Member Farley: "Second."

Chairman Pinckney: "I've got a motion and a second. Any questions or discussions?"

Committee Member Farley: "Same thing. How long is that road? Do you remember, right off hand?"

Mr. Carson: "No sir, I don't have those. I don't have those off hand. I can get them to you. But, it's actually two roads. One intersects 41 and Blanding Road is a dead end road but Wilder intersects it and Hwy 41. Which is why we're doing those together so, the construction can be done at one time. But, relatively speaking, it's probably 3 1/2 , 4x's the length of Arthur Gillins. But, it's open ditch section."

Committee Member Farley: "Not a lot of people living on that road either too?"

Mr. Carson: "Yes sir. Wilder and Blanding is a project we've been trying to get done for years but, because we only had the C-Fund program and there's no condemnation for right of way. We've been held up for a long, long time."

Committee Member Farley: "Thank you."

Chairman Pinckney: "All in favor? (Ayes) Opposes Nay? (No Response) Motion carries."

It was moved by Committee Member Fish and seconded by Committee Member Farley to **award** the construction contract for the **Blanding Road and Wilder Road Improvements to Plowden Construction Company** in the amount of **\$412,669.50**. The motion passed by unanimous voice vote of the Committee.

Chairman Pinckney: "I would entertain a motion...Thank you, Frank. I would entertain a motion to for adjournment?"

Committee Member Fish: "So move."

Committee Member Farley: "Second."

Chairman Pinckney: "Motion and a second. All in favor? (Ayes) Opposes Nay? (No Response) We stand adjourned. Thank you."

It was moved by Committee Member Fish and seconded by Committee Member Farley to **adjourn** the Committee Meeting on Public Works and Purchasing. The motion passed by unanimous voice vote of the Committee.

The meeting ended at 6:25 p.m.

July 9, 2012

Date Approved

**PUBLIC WORKS AND PURCHASING**  
(Standing Committee of Berkeley County Council)

Chairman: Mr. Caldwell Pinckney, Jr., District No. 7

Members: Mr. Phillip Farley, District No. 1  
Mr. Robert O. Call, Jr., District No. 3  
Mr. Dennis Fish, District No. 5  
Mr. Jack H. Schurlknight, District No. 6

Mr. Timothy J. Callanan, District No. 2, ex officio  
Mrs. Cathy S. Davis, District No. 4, ex officio  
Mr. Steve C. Davis, District No. 8, ex officio  
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON PUBLIC WORKS AND PURCHASING**, Standing Committee of Berkeley County Council, will be held on **Monday, June 11, 2012 at 6:01 p.m.**, following other scheduled committee meetings in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

**AGENDA**

*In accordance with the Freedom of Information Act, the electronic and print media were duly notified.*

**APPROVAL OF MINUTES**

**May 14, 2012**

- A. Mr. Doug Tompkins, BCWS Deputy Director of Operations, Re: Selection of Vendor for Meter Boxes**
- B. Mr. Frank Carson, PE, County Engineer, Re:**
  - 1. Construction Contract Award for Arthur Gillins Road Improvements**
  - 2. Construction Contract Award for Blanding Road and Wilder Road Improvements**

June 6, 2012  
S/Catherine R. Windham  
Interim Clerk of County Council